

21861  
USPTO  
030904

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UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 421/60/18/2/2

First Inventor Christine C. Dykstra

Title See 1 in Addendum

Express Mail Label No. EV372404966US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450PTO  
S.6657  
17510  
10/79

030904

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 64]  
(preferred arrangement set forth below)
 

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 1]

5. Oath or Declaration [Total Sheets 7]
 

- a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
 

- a.  Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  Paper
- c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))

10.  37 CFR 3.73(b) Statement  Power of Attorney  
(when there is an assignee)

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.  Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17.  Other: Copy of Request for Extension of.....  
.....Time filed in parent application.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: 10/044,315

Prior application information:

Examiner Stockton, Laura

Art Unit: 1626

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

Customer Number: 25297 OR  Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Arles A. Taylor, Jr.	Registration No. (Attorney/Agent)	39,395
Signature	<i>Arles A. Taylor</i>	Date	03-09-2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 3,178.00)

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	Christine C. Dykstra
Examiner Name	Stockton, Laura
Art Unit	1626
Attorney Docket No.	421/60/18/2/2

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	50-0426
Deposit Account Name	

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments
   
 Charge any additional fee(s) during the pendency of this application
   
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 750	2001 375	Utility filing fee	770.00
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ 770.00)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Fee from below	Fee Paid
Total Claims	106	-20** = 86 x 18 = 1548	
Independent Claims	13	- 3** = 10 x 86 = 860	
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 2,408.00)		

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$)			

SUBTOTAL (3) (\$)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Arles A. Taylor, Jr.	Registration No. (Attorney/Agent)	39,395	Telephone	919-493-8000
Signature	Arles A. Taylor, Jr.			Date	March 9, 2004

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YAR 9 2004 12:59PM	JEVETTS & SON	VC 531
<b>JENKINS, WILSON &amp; TAYLOR, P.A.</b>		
PATENT ATTORNEYS		
SUITE 1400 UNIVERSITY TOWER 3100 TOWER BOULEVARD DURHAM, NORTH CAROLINA 27707 TELEPHONE: (919) 493-8000 FACSIMILE: (919) 419-0383		
WEBSITE: WWW.JENKINSWILSONTAYLOR.COM		
DATE:	<u>March 9, 2004</u>	
TO:	<u>Art Group Unit 1600 (for Group 1626)</u>	
FAX NO.:	<u>(703) 872-9306</u>	
FROM:	<u>Arlie A. Taylor, Jr. (ptw)</u>	
RE:	<u>Serial No. 10/044,315; Atty Docket No. 421/60/18/2</u>	
NUMBER OF PAGES TO FOLLOW: <u>4</u>		
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COMMENTS:		
Attachment:	Transmittal Letter (1 page); and Request for Extension of Time (2 pages).	

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PATENT ATTORNEYS**SUITE 1400 UNIVERSITY TOWER  
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DURHAM, NORTH CAROLINA 27707  
TELEPHONE: (919) 493-8000  
FACSIMILE: (919) 419-0383WEBSITE: [WWW.JENKINSWILSONTAYLOR.COM](http://WWW.JENKINSWILSONTAYLOR.COM)

**DATE:** March 9, 2004

**TO:** Art Group Unit 1600 (for Group 1626)

**FAX NO.:** (703) 872-9306

**FROM:** Arles A. Taylor, Jr. (ptw)

**RE:** Serial No. 10/044,315; Atty Docket No. 421/60/18/2

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# JENKINS, WILSON & TAYLOR, P.A.

## PATENT ATTORNEYS

SUITE 1400 UNIVERSITY TOWER  
3100 TOWER BOULEVARD  
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TELEPHONE: (919) 493-8000  
FACSIMILE: (919) 419-0383

WEBSITE: [WWW.JENKINSWILSONTAYLOR.COM](http://WWW.JENKINSWILSONTAYLOR.COM)

**DATE:** March 9, 2004

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NUMBER OF PAGES TO FOLLOW: 4

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JENKINS  
WILSON  
& TAYLOR

patent attorneys

March 9, 2004

RICHARD E. JENKINS

JEFFREY L. WILSON

ARLES A. TAYLOR, JR.

GREGORY A. HUNT

E. ERIC MILLS

BENTLEY J. OLIVE

MICHAEL J. CROWLEY

\*CHRIS PERKINS, PH.D.

\*\*JAMES DALY IV, PH.D.

EFFREY CHILDERS, PH.D.

OF COUNSEL  
SOROJINI BISWAS

\*LICENSED ONLY IN CA

\*\*LICENSED ONLY IN KY

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Patty Wilson

Date of Signature March 9, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/044,315 for  
COMPOUNDS, METHODS AND COMPOSITIONS USEFUL  
FOR THE TREATMENT OF BOVINE VIRAL DIARRHEA  
VIRUS (BVDV) INFECTION AND HEPATITIS C VIRUS (HCV)  
INFECTION  
Our Ref. No. 421/60/18/2

Sir:

Please find enclosed the following:

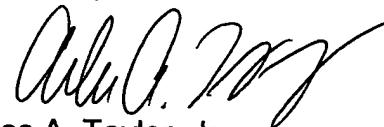
1. Request for a Three-Month Extension of Time (2 pages).

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Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.



Arles A. Taylor, Jr.  
Registration No. 39,395

AAT/ptw  
Enclosures  
Customer No: 25297

## Addendum

### Attachment 1

COMPOUNDS, METHODS AND COMPOSITIONS USEFUL FOR THE TREATMENT OF BOVINE VIRAL DIARRHEA VIRUS (BVDV) INFECTION AND HEPATITIS C VIRUS (HCV) INFECTION

March 9, 2004

RICHARD E. JENKINS

JEFFREY L. WILSON

ARLES A. TAYLOR, JR.

GREGORY A. HUNT

E. ERIC MILLS

BENTLEY J. OLIVE

MICHAEL J. CROWLEY

\*CHRIS PERKINS, PH.D.

\*\*JAMES DALY IV, PH.D.

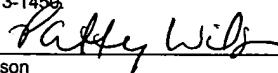
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OF COUNSEL  
SOROJINI BISWAS

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Patty Wilson

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
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Re: U.S. Patent Application for  
COMPOUNDS, METHODS AND COMPOSITIONS USEFUL  
FOR THE TREATMENT OF BOVINE VIRAL DIARRHEA  
VIRUS (BVDV) INFECTION AND HEPATITIS C VIRUS (HCV)  
INFECTION  
Our Ref. No. 421/60/18/2/2 DIV

Sir:

Please find enclosed the following:

1. Utility Patent Application Transmittal Form (2 pages);
2. Fee Transmittal Form (1 page) in duplicate;
3. A U.S. patent application (64 pages);
4. One (1) sheet of drawings;
5. Sequence Listing in paper (2 pages) and computer readable form (CRF);
6. Statement That Sequence Listing and Computer Readable Copy are the Same (1 page);
7. Preliminary Amendment (3 pages);
8. Copy of executed Declaration from parent application (7 pages);

Commissioner for Patents  
March 9, 2004  
Page 2

9. Copy of Request for Extension of Time filed in parent application 10/044,315 (2 pages);
10. A return-receipt postcard to be returned to our offices with the U.S. Patent and Trademark Office date stamp thereon; and
11. A Certificate of Express Mail No.: EV372404966US.

Please contact our offices if there are any questions.

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Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.



Arles A. Taylor, Jr.  
Registration No. 39,395

AAT/ptw

Enclosures

Customer No: 25297